

CITY UTILITIES COMMITTEE

MINUTES

JULY 26, 2011

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, July 26, 2011 at 10:08 a.m., in Committee Room #2.** The following members were present:

The Honorable Natalyn M. Archibong, Chair
The Honorable Aaron Watson
The Honorable Yolanda Adrean
The Honorable C. T. Martin
The Honorable Carla Smith

The following members were absent:

The Honorable H. Lamar Willis, Vice-Chair
The Honorable Howard Shook

Others present at the meeting were: Councilmember President Ceasar C. Mitchell, Councilmember Kwanza Hall; M. Theresa Stewart, Lem Ward, Stephanie Grant, and Mark Goncher, Law Department; Commissioner Richard Mendoza, Valerie Bell-Smith, Department of Public Works; Acting Commissioner, Jo Ann J. Macrina; Deputy Commissioners Jim Beard, and Eric Glover, Department of Watershed Management; Mark Hunt; OEAM; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:08 a.m. after declaring a quorum present. She then proceeded with the following order of business.

- A. ADOPTION OF AGENDA- ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. SIDEWALK PROGRAM OVERVIEW - DPW**

CONSENT

D. ORDINANCES FOR FIRST READING

- 11-O-1097 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2012 Budget authorizing the City of Atlanta to appropriate funds from the Care & Conserve Trust Fund (7701) to the Community Development Block Grant Fund (2201) for Department of Watershed Management, in the amount of \$75,000.00; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 11-O-1098 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Revenue Fund) (5051) Budget in the amount of \$400,000.00; to transfer funds from the Water and Wastewater Revenue Fund (5051) Reserves for Appropriations and add to appropriations to the Water and Wastewater Revenue (5051) for Extra Help Salary Charges; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

E. PUBLIC HEARING - ORDINANCE FOR SECOND READING

- 11-O-1004 (1) An **Amended** Ordinance by City Utilities Committee authorizing the renaming of Harris Street to John Portman Boulevard by and through actions of the Commissioner of the Department of Public Works or designee; and for other purposes. **(Public Hearing held 7/26/11)**
(Councilmember Martin made a motion to approve as amended. The motion to approve failed.)

FORWARDED WITH NO RECOMMENDATION AS AMENDED - (2 YEAS) MARTIN, WATSON (2 NAYS) ARDEAN, SMITH (1 ABSTENTION) ARCHIBONG

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F. COMMUNICATION

- 11-C-1117 (1) A Communication by Councilmembers Ivory L. Young, Jr., District 3; Cleta Winslow, District 4; and Michael J. Bond, Post 1 At-Large appointing **Ms. L. Danielle Carney** to serve as a member of the Water and Sewer Appeals Board, scheduled to begin on the date of Council confirmation.
(Councilmember Archibong made a motion to forward to Committee on Council without recommendation.)

FORWARDED WITHOUT RECOMMENDATION - TO BE REFERRED TO COMMITTEE ON COUNCIL

G. ORDINANCES FOR SECOND READING

- 11-O-1007 (1) An **Amended** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2012 (2009A Water and Wastewater Bond Fund -5066) Budget in the amount of \$25,560,000.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund -5066) for Appropriations and to add to appropriation funds for the R. M. Clayton Compliance Upgrades Project; and for other purposes.
(Councilmember Martin made a motion to approve as amended.)

FAVORABLE AS AMENDED

- 11-O-1008 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2012 (1999 Water and Wastewater Bond Fund -5056) Budget in the amount of \$13,172.57 to transfer funds from the Capital Projects Reserve (1999 Water and Wastewater Bond Fund -5056) for Appropriations and to add to appropriation funds for Greensferry Sewer Separation and 10th Ward Trunk Projects; and for other purposes.
(Councilmember Adrean made a motion to approve.)

FAVORABLE

ORDINANCES FOR SECOND READING (CONT'D)

- 11-O-1009 (3) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY2012 (2009A Water and Wastewater Bond Fund -5066) Budget in the amount of \$10,750,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for Various Capital Projects; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

H. RESOLUTIONS

- 11-R-1099 (1) A Resolution by City Utilities Committee authorizing the Mayor to enter into a contractual agreement with LAZ Parking Limited, LLC for Parking Services, on behalf of the Department of Watershed Management, for the lease of real property at 100 Luckie Street, in an amount not to exceed \$210,000.00; to provide the terms of such agreement; to direct the City Attorney to prepare and approve as to form all necessary documents; all contracted services shall be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 11-R-1132 (2) A Resolution by Councilmembers Natalyn M. Archibong, Howard Shook and Yolanda Adrean authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$_____ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards _____ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
(Councilmember Archibong made a motion to hold.)

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I. PAPERS HELD IN COMMITTEE

- 10-O-0939 (1) A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes. **(Substituted and held 8/31/10) (Public Hearing held 9/21/10)**

HELD

- 10-O-1058 (2) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**

HELD

- 10-O-1059 (3) A **Substitute** Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development

PAPERS HELD IN COMMITTEE (CONT'D)

Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

HELD

- 10-O-1688 (4) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14th District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-0080 (5) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**

HELD

- 11-R-0088 (6) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Clela Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**

HELD

- 11-O-0108 (7) An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**

HELD

- 11-O-0740 (8) A **Substitute** Ordinance **as amended** by City Utilities Committee to amend Chapter I entitled "Administration" of Appendix C entitle "Plumbing Code Amendments" to adopt Section 1300 entitled "Requirements for Rainwater Catchment Systems for Residential Potable Use; to regulate potable rainwater catchment for residential use; to institute safeguards that ensure potable rainwater catchment systems do not interfere with City of Atlanta Water Supply; to streamline the installation of potable rainwater catchment systems; to amend Chapter 154 "Utilities", Article V. "Sewage Disposal," Division 3 "Rates and Charges," Section 277 "Sewer Service Charge", Subsection (d) to exempt residential rainwater catchment systems from the requirement to install and measure water usage through meters to determine sewer service charges; and for other purposes. **(Public Hearing held 7/21/11) (Substituted as amended and held 7/26/11 for further discussions)**

SUBSTITUTED AS AMENDED AND HELD

PAPERS HELD IN COMMITTEE (CONT'D)

- 11-R-1012 (9) A **Substitute** Resolution **as amended** by City Utilities Committee authorizing the Department of Watershed Management to approve a Task Order to BGR, JV for FC-4906C, Annual Contract for Architectural and Engineering Services, Land Support Project, Easement Research and Acquisition Services 1-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$53,064.00; all contracted work to be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.

(Councilmember Archibong made a motion to approve on substitute as amended on condition.)

FAVORABLE ON SUBSTITUTE AS AMENDED ON CONDITION

- 11-R-1013 (10) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to issue a Task Order to Arcadis/Brindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services - Land Support Project, Easement Research and Acquisition Services 2-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$232,044.00; all work will be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes. **(Held 7/12/11 for a further review)**

FAVORABLE ON SUBSTITUTE ON CONDITION
(1 ABSTENTION) ADREAN

J. REQUESTED ITEMS

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?

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REQUESTED ITEMS (CONT'D)

2. Councilmember Adrean requested metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed
3. Councilmember Archibong requested the Department of Watershed to include in their Quarterly Update the number of raised valves on the manhole covers.
4. Councilmember Archibong requested that the Department of Watershed host a work session for the Full Council to provide a status report on Consent Decree Projects.
5. Councilmember Martin requested the Department of Watershed to provide an updated map by Council District on the Consent Decree-Related Activities.
6. Councilmember Martin requested the Department of Watershed to provide Fund Balance of 5052.
7. Councilmember Archibong requested Jerry DeLoach, Director of Risk Management come back to the November 1, 2011 meeting to give an update on the City's Risk Management Program.
8. Councilmember Adrean requested the Department of Watershed Management to provide the number of Cases that are before the Water Appeals Board.
9. Councilmember Adrean requested that the Department of Watershed Management provide Cash Flow Analysis and Debt Services Information as part of their Quarterly review.

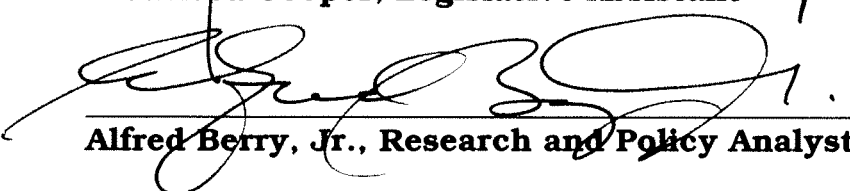
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There being no further business to come before the Committee, the meeting was adjourned at 12:40 p.m.

Respectfully Submitted:



Fredriecca Cooper, Legislative Assistant



Alfred Berry, Jr., Research and Policy Analyst



**The Honorable Natalyn M. Archibong, Chair
City Utilities Committee**